IN THE UNITED STATES PATENT AND TRADEMARK OFFICE REQUEST FOR FILING (RULE 53(b)(1))



10/30/00		Cont	inuation)	CATION:	For De		ility Applicat	<u>ons</u>	(C	00 <u>NOT</u>	USE FOR	CIPs)
		ation u ⊸of po	ınder 37 ending pı	CFR 1.53 rior applic SEL et a	cation of			Group Art	Unit: <u>162</u> <u>Davis, B</u>				9/181671
	Appln. Filed:	No.:		09 Code û 998	O Serial No.	04,926 û		Atty. Dkt. (Our Dep (Our Orde	PM 2568 New Mosit Accounter No114	#	CI 3975	1 PH/EN ient Ref	
	Title:	FLU	OROBE	NZYLAM	INO)-1-E	2-AMINO-4 THOXYCAF R PREPAR	RBONYLA	MINOBENZ		# / <u>Ne</u> v	<u>w</u> M#		
ľ	Washi		issioner o DC 202		s and Tra	demarks	(Parent	Date: Matter No.	October 29 244517	9, 1998)		
₹	1.	Attac				quested fili		application	including:				
	1A. (1) (2)	Alway	Drawings <u>vs</u> X one <u>Signed</u> d	box, only eclaratio	e attache /: n or oath	as originally	ally filed): y filed in pr	<u>5</u> sheet(s)/	ormal of size on <u>attached</u>	Э	; □ A4	□ 1 <u>1</u> 1	,
	2.		This aphereby	oplication made re	is hereby	filed by <u>les</u>	ss than all inventor(s	of the invent	ors named	in the pric			tion is
			1. 3. 5. 7. 9.					2. 4. 6. 8. 10.					

The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated therein by reference thereto.





Page 2 of 4

4.	Priority is claimed under 35 U.S.C. 119/365 based on filing in GERMANY of
	(country) <u>Application No.</u> <u>Filing Date</u> <u>Application No.</u> <u>Filing Date</u>
	(1) 19701694.4 20 JAN 1997 (4) (5)
	(2) (5) (3) (6)
	a. (No.) Certified copy/copies attached.
	b. Certified copy/copies previously filed on January 9, 1998 in
	U.S. Application No. 09/004,926 , filed on January 9, 1998.
	series code v v <u>seriai no.</u> c. ☐ Certified copy/copies filed during International stage of PCT/ / .
4.	c. Certified copy/copies filed during International stage of PCT/ /
	(b) Benefit is claimed of Provisional Application No. 06/, filed
5.	Prior application is assigned to <u>ASTA MEDICA AKTIENGESELLSCHAFT</u>
	by assignment recorded July 9, 1998 Reel 9308 Frame 0906.
6.	Attached is the following number of Assignments (including original and all later successive ones by
-	different assignors): 1 and respective <u>new</u> Cover Sheets. (Do <u>NOT</u> file old cover sheets.)
	(Assignments in parent must be refiled with new Cover Sheets in this continuing application if you
1	want it/them recorded against the continuing application.)
	Please return the recorded Assignment to the undersigned.
0946 3457.	The power of attorney in the prior application is to Kevin E. Joyce. Reg. No. 20.508
2 1	(Name and Reg. No.)
	whose current address is as in item 8 below.
# 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	a. 🛮 Recognize as associate attorney Ann S. Hobbs, Reg. No. 36,830
T.	(Name, Reg. No. and Address)
Ξ Ξ _α	Address all future communications to Intellectual Property Group
Till U.	of Pillsbury Madison & Sutro LLP, Ninth Floor, East Tower 1100 New York Avenue, N.W.,
	Washington, D.C. 20005-3918
9.	அரண் Amend the specification by inserting before the first line the sentence:This is a
	Series code ம் ம் serial no. h و المجارة المج
9.	(a) Amend the specification by inserting before the first line:This application claims the benefit of Provisional Application No. 60/, filed
10.	☐ It has been recently determined that this new continuing application is entitled to small entity status.
	Hence:
	(No.) Verified Statement(s) establishing "small entity" status under Rules 9 & 27 were/are:
	attached.
11.	Petition to extend the life of the above prior application to at least the date hereof
(<u>one</u> bo	is being concurrently filed in that prior application (Use Form PAT-111).
(<u>must</u> b (X'd)	be) was previously filed in that prior application (Check length of prior extension). I is not necessary for copendency (Double check before X'ing this box).





·				•			Page 3 of 4					
12.	information of cited by Applicant referenced in iter consider those do returning a copy MPEP 609.	nt and the PTO m 9 above. Per ocuments and <u>a</u>	in the parent ap Rule 98(d) cop advise that they	plication(s) relievies of those doese have been con	ed upon under 35 cuments are <u>not l</u> sidered in <u>this ne</u>	USC 120 and required now. If we application a	Please is by					
13.	Attached is a Rule 103(a) Petition to Suspend Action.											
14.	except for correc	PRELIMINARY AMENDMENT to be entered before fee calculation: (Do <u>not</u> make amendments here except for correction of improper multiple dependencies or cancellation of whole claims or multiple dependencies for purpose of reducing the filing fee per MPEP §§ 506 and 607; do <u>not</u> cancel all claims).										
Plea	ase cancel claims 4	-14.			•							
NOTE: I	->->-> <u>CLAIMS AS F</u> f box 1A <u>2</u> is X'd, do out leave lines 15-22	FILED AND CH not pay fees,	ANGED BY PF	G FEE IS BASE		<u>TEM 14</u> <-<-<	 Fee					
				· · · · · · · · · · · · · · · · · · ·	Entity		Code					
	iling Fee iling Fee				\$330/\$165 \$790/\$395	+790	106/26 101/201					
	fective Claims	5	minus 20 =	0	x \$22/\$11	+0	103/203					
	ndent Claims	5	minus 3 =	2	x \$82/\$41	+164	102/202					
	<u>roper multiple depe</u>	ndent claim (igi	nore improper)	is present,	\$270/\$135	+0	104/204					
20.					Subtotal =	\$954	T					
	on" box 13 above is			\$130		+0	122					
21A. If box	6 above is X'd, add	ı Assıgnment re	cording fee	\$ 40	130	+40	581					
22.			TOT	AL FILING FE	E ATTACHED =	\$994						
(carry forward to												

23.	☐ ATTACHED:
24.	Preliminary Amendment attached (to be entered after assigning Appln. No.)
25.	☐ The following PRELIMINARY AMENDMENT is to be entered after assigning Appln. No.:





26.

ADDITIONAL FEE CALCULATION FOR PRELIMINARY AMENDMENT PER BOXES 24/25

		remain after amend		number previous paid for	зly		Prese Extra					dditional ee	
								<u>L</u>	.arge/Sma	ll Entity			File Code
27.	Total Effective	Claims	*	minus **	20	_ =	0	_ ×	\$22/\$11	=	\$.	0	(103/203)
28.	Independent	Claims	*	minus ***	3	_ =	0	_ ×	\$82/\$41	. =	+	0	(102/202)
29.	If amendment first time, add										+	0	(104/204)
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32.							<u>TOTA</u>	L FE	E ATTACI	<u>HED</u>	\$	994	=
33.	*If the entry in this sp	ace is less tha	an a entry in	the next space, the	"Present E	xtra" res	ult is "0"						
34.	**If the "Highest numb	per previously	paid for" (se	ee item 16 above) is l	ess than 20), write "	20" in this s	space					
35.	If the "Highest numbe	r previously p	aid for" (see	item 17 above) is les	s than 3, w	rite "3" i	n this space	9					
	RGE STATEME rized to charge a												

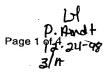
CHARGE STATEMENT: Upon the filing of a Declaration pursuant to Rule 60(b) or 60(d), the Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT <u>does not authorize</u> charge of the <u>issue fee</u> until/unless an issue fee transmittal form is filed.

Pillsbury Madison & Sutro LLP Intellectual Property Group

1100 New York Avenue, N.W.	By Att	y: Ann S. Hobbs	Reg. No	36830
Ninth Floor, East Tower Washington, D.C. 20005-3918	Sig:	a. 1. Hobbar	Fax:	(202) 822-0944
Tel: (202) 861-3000			Tel:	(202) 861-3063
ASH/maf				• •
Atty./Sec.				

NOTE No. 1: File this Request in <u>duplicate</u> with 2 postcard receipts (PAT-103) & attachments **NOTE No. 2:** Is extension in parent necessary for copendency? **DOUBLE CHECK** Item 11 above.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE REQUEST FOR FILING (RULE 53(b)(1))

			For Design or I	Utility Application	<u>ons</u>		
	<u>3(b)(1) PATENT A</u>	PPLICATION:				(DO NOT USE FO	OR CIPs)
\boxtimes	Continuation)						/
_)	application under	r 37 CFR 1.53(b))(1)			· o . ==
	Divisional)	_		_			
applica	ation under 37 CFF			Group Art	Unit: <u>1621</u>		
	of pending prior	application of					. s 9
				Examiner:	Davis, B.		∍≌≣
Invento				•			2 2
Appin.		004,	926	Atty. Dkt.	PM 256868	97/01 PH/E	N % S =
	Series Cod				New M#	Client Ref	<u> </u>
Filed:	January 9, 1998				sit Account No. 0		
				(Our Orde			
Title:		CATIONS OF 2-A				<u>New</u> M#	•
		/LAMINO)-1-ETH		_AMINOBENZE	ENE,		
	AND PROCESS	ES FOR THEIR F	REPARATION				
	•		•				
				Date: _	October 29, 199	8	
	Commissioner of P	atents and Trader	narks				
Washi	ngton, DC 20231		(Pare	ent Matter No.	244517)	
		·					
Sir:							
	To effe	ct the above-requ	ested filing today	y:			
1.	Attached is a cor	oy (<u>which must b</u>	<u>e filed</u>) of the pr	ior application,	including:		
	•						
		n and claims (<u>13</u> p	ages) (must be	attached)			
	Drawings (m	nust be attached	if originally file	d): 5 sheet(s)/s	et 🕅 1 set infor	mal·	
	Za Biamingo (ii	nuoi po attaoniou	originally ino		ormal of size		11"
1A.	Always X one box	c only:		L_, , <	inal of oleo		. ,
(1)		aration or oath as	originally filed in	prior application	n attached		
(2)		ion or fee is enclo					
(-/	ito dociarat	1011 01 100 10 011010	bod, morororo, u	ino io a ining an	aci 1 taic 55(1).		
•							
2.	☐ This applie	cation is hereby fil	ed by less than	all of the invent	ors named in the	prior application. F	etition is
						ot inventor(s) of the	
		peing claimed in the		.(0) 01 11.0 10.10			•
			no approance.		•		
	1.	•		2.			
	3.			4.	•		
	5. 5.			6.			
	7			8.			
	9.			10.			

3. The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated therein by reference thereto.

	Page 2 of 4										
4.	☐ Priority is claimed under 35 U.S.C. 119/365 based on filing in GERMANY of										
ļ	(country) Application No. Filing Date (1) 19701694.4 20 JAN 1997 (4)										
- 1	(2)										
\											
	a. (No.) Certified copy/copies attached. b. Certified copy/copies previously filed on January 9, 1998 in U.S. Application No. 09/004,926 , filed on January 9, 1998.										
4.	series code û û serial no. c. Certified copy/copies filed during International stage of PCT/ / . (a) Domestic priority is claimed from PCT//, filed										
}	(b) Benefit is claimed of Provisional Application No. 06/, filed										
5.	Prior application is assigned to <u>ASTA MEDICA AKTIENGESELLSCHAFT</u>										
	by assignment recorded <u>July 9, 1998</u> Reel <u>9308</u> Frame <u>0906.</u> (Date)										
6.	Attached is the following number of Assignments (including original and all later successive ones by different assignors): 1 and respective new Cover Sheets. (Do NOT file old cover sheets.)										
	(Assignments in parent must be refiled with new Cover Sheets in this continuing application if you want it/them recorded against the continuing application.)										
	Please return the recorded Assignment to the undersigned.										
7.	The power of attorney in the prior application is to Kevin E. Joyce, Reg. No. 20,508										
	(Name and Reg. No.) whose current address is as in item 8 below.										
	a. Recognize as associate attorney Ann S. Hobbs, Reg. No. 36,830										
	(Name, Reg. No. and Address)										
8	Address all future communications to Intellectual Property Group of Pillsbury Madison & Sutro LLP, Ninth Floor, East Tower 1100 New York Avenue, N.W., Washington, D.C. 20005-3918										
. 9	★ Amend the specification by inserting before the first line the sentence: This is a										
/4	Series code û û serial no. Description of Application No. Description No. Description No. Description No. Description No. D										
	(a) Amend the specification by inserting before the first line:This application claims the benefit of										
9.	Provisional Application No. 60/, filed										
10.	It has been recently determined that this new continuing application is entitled to small entity status. Hence:										
	 (No.) Verified Statement(s) establishing "small entity" status under Rules 9 & 27 were/are: filed in above prior application (and hence applicable hereto) attached. 										
11. (<u>one</u> (<u>mus</u> (X'd)	tbe) was previously filed in that prior application (Check length of prior extension).										

15

PAT-108-798

	•												
12.	INFORMATION DISCLOSURE STATEMENT: Attached is Form PTO-1449 listing all of the documents cited by Applicant and the PTO in the parent application(s) relied upon under 35 USC 120 and referenced in item 9 above. Per Rule 98(d) copies of those documents are not required now. Please consider those documents and advise that they have been considered in this new application as by returning a copy of the enclosed Form PTO-1449 with the Examiner's initials in the left column per MPEP 609.												
13.		Attached is a Rule 103(a) Petition to Suspend Action.											
14.	\boxtimes	PRELIMINARY AMENDMENT to be entered before fee calculation: (Do not make amendments here except for correction of improper multiple dependencies or cancellation of whole claims or multiple dependencies for purpose of reducing the filing fee per MPEP §§ 506 and 607; do not cancel all claims).											
	Please cancel claims 4-14.												
	FILING FEE THE FOLLOWING FILING FEE IS BASED ON												
	->->	>->-> <u>CLAIMS AS F</u>	FILED AND CH	ANGED BY PR	ELIMINARY A	MENDMENT IN I	<u> </u>	-					
NOTE	· If	box 1A <u>2</u> is X'd, do	not nav fees										
<u> 10 i L</u>		ut leave lines 15-22		nk.									
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						Entity	,	Code					
15. Ba	sic Fil	ing Fee		Desi	an Application	\$330/\$165		106/26					
		ing Fee				\$790/\$395	+790	101/201					
		ective Claims	5	minus 20 =	0	x \$22/\$11	+0	103/203					
18. Ind	depen	dent Claims	5	minus 3 =	2	x \$82/\$41	+164	102/202					
19. lf <u>s</u>	any pr	<u>oper</u> multiple depe	ndent claim (igr	nore improper)	is present,	\$270/\$135	+0	104/204					
20.						Subtotal =	\$954						
		n" box 13 above is					+0	122					
21A. I	f box 6	above is X'd, add	Assignment re	cording fee	\$ 40	130	+40	581					
	-			* ***									
22.				TOT	AL FILING FE	F ATTACHED =	\$994						
- - -	2. TOTAL FILING FEE ATTACHED = \$\big \$994 (carry forward to Item 31)												
	_					,	-	•					
23.	3. TATTACHED:												
24.	4. Preliminary Amendment <u>attached</u> (to be entered <u>after</u> assigning Appln. No.)												

☐ The following PRELIMINARY AMENDMENT is to be entered <u>after</u> assigning Appln. No.:

25.

PAT-108 7/98

26.

ADDITIONAL FEE CALCULATION FOR PRELIMINARY AMENDMENT PER BOXES 24/25

	Claims remainin after amendm	previo	er usly	Present Extra	•	Additional Fee	-
		•		Large/Sm	all Entity		File Code
27.	Total Effective Claims _	* minus *	* 20 =	<u>0</u> x \$22/\$11	=	\$_0	(103/203)
28.	Independent Claims	* minus *	** 3 =	<u>0</u> x \$82/\$41	. =	+ 0	(102/202)
29.	If amendment enters pro first time, add (per applic	pper multiple deper cation)	ndent claim(s)	into this application fo	or the 0/\$135	+ 0	(104/204)
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31.			<u>plus</u> FEE f	rom item 22 on page	3	+ 994	
32.				TOTAL FEE ATTAC	CHED	\$_994	:
33.	*If the entry in this space is less than	n a entry in the next space,	the "Present Extra" re	sult is "0"			
34.	**If the "Highest number previously p	paid for" (see item 16 above) is less than 20, write	"20" in this space			
35.	If the "Highest number previously pai	id for" (see item 17 above) i	s less than 3, write "3"	in this space			
authoriled, of Rules docum	RGE STATEMENT: Upon rized to charge any fee spor which should have been 16-18 (missing or insuffect under Rule 20, or crese a duplicate copy of this CHARGE STATEMENT d.	ecifically authorize offiled herewith or officient fee only) nedit any overpayments sheet is attached.	d hereafter, or concerning any low or hereafte ent, to our Acc	any missing or insuffice paper filed hereafter, er relative to this appount/Order Nos. show	cient fee(s) fand which rollication and which in the hearth	filed, or asser may be requir If the resultin ading hereof	ted to be ed under g Official for which
		Pillsbury Mac Intellectual P					
	New York Avenue, N.W.	By Atty: A	nn S. Hobbs		Reg. No	. 36830	
Wash	n Floor, East Tower nington, D.C. 20005-3918 202) 861-3000 maf	3 Sig:	1. Hr	ble	Fax: Tel:	(202) 822- (202) 861-	

Atty./Sec.

NOTE No. 1: File this Request in <u>duplicate</u> with 2 postcard receipts (PAT-103) & attachments

NOTE No. 2: Is extension in parent necessary for copendency? <u>DOUBLE CHECK Item 11 above.</u>

AT-108-7/98